IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(C) No. 8357 of 2026

(CNR No. JHHC01-034682-2026)

Biswanath Bera, son of Late Basudev Bera, resident of Village- Gopalpur (Dahigora), P.O. & P.S. Ghatshila, District- East Singhbhum … … Petitioner

Versus

1. The State of Jharkhand through the Principal Secretary, Department of Social Welfare/Women, Child Development and Social Security, Government of Jharkhand, Ranchi
2. The Deputy Commissioner-cum-District Magistrate, East Singhbhum, Jamshedpur
3. The Sub-Divisional Magistrate, Ghatshila, District- East Singhbhum
4. Smt. Debashree Bera, wife of Gagan Bera, daughter of Sri Hiranmay Paul, resident of Village - Gopalpur (Dahigora), P.O. & P.S. Ghatshila, District- East Singhbhum

…. … Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH SHANKAR

For the Petitioner : Mr. Soumitra Baroi, Advocate
For the Resp. Nos. 1 to 3 : Mr. Mukul Kumar Singh, A.C. to G.P.-III

Order No. 02 **Dated: 23.11.2026**

1. The present writ petition has been filed for issuance of direction upon the Deputy Commissioner-cum-District Magistrate, East Singhbhum, Jamshedpur (the respondent no. 2) to dispose of Misc. Appeal No. 105 of 2025-26 preferred by the petitioner seeking implementation of the order dated 29.04.2025 passed by the Sub-Divisional Magistrate, Ghatsila (the respondent no. 3) in Misc. Case No. 01 of 2025.

2. Learned counsel for the petitioner submits that the petitioner had filed Misc. Case No. 01 of 2025 in the court of the respondent no. 3 invoking the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (in short,

"the Act, 2007") against his younger son Gagan Bera and the daughter-in-law – Debashree Bera (the respondent no. 4). The said case was disposed of vide order dated 29.04.2025 directing the petitioner's son- Gagan Bera and the respondent no. 4 to vacate the house of the petitioner enabling him to let it out on rent and sustain his livelihood from the rental income.

3. The grievance of the petitioner as raised in the present writ petition is that pursuant to the aforesaid order, his son namely Gagan Bera vacated the 1st floor of the house in question and started to reside on monthly rent at another place but the respondent no. 4 did not vacate the 1st floor of the said house for which the petitioner has preferred Misc. Appeal No. 105 of 2025-26 in the court of the respondent no. 2 invoking Section 22 of the Act, 2007 seeking implementation of the order dated 29.04.2025 passed by the respondent no. 3 in Misc. Case No. 01 of 2025, however the respondent no. 2 has not yet passed any effective order in the said appeal. Under the said compelling circumstance, the petitioner has preferred the present writ petition.

4. Heard learned counsel for the petitioner as well as the State.

5. On perusal of the certified copy of order sheet of Misc. Appeal No. 105 of 2025-26 annexed with the present writ petition, it appears that the said appeal was initially taken up on 06.12.2025 and the same was adjourned to 19.12.2025 to be heard on the point of admission. Thereafter the case was

adjourned on different dates without any effective steps. The order dated 07.07.2026 suggests that attendance on behalf of the petitioner as well as the respondent no. 4 was filed and on their request, the said appeal was adjourned to 28.07.2026.

6. Considering that Misc. Appeal No. 105 of 2025-26 is pending in the court of the respondent no. 2 for about one year and the petitioner who is a senior citizen, seeks implementation of the order dated 29.04.2025 passed by the respondent no. 3 in Misc. Case No. 01 of 2025 whereby the petitioner's younger son- Gagan Bera and the daughter-in-law (the respondent no. 4) were directed to vacate the house in question, the respondent no. 2 is directed to expedite the hearing of Misc. Appeal No. 105 of 2025-26 and to dispose of the same in accordance with law after providing due opportunity of hearing to the petitioner as well as the respondent no. 4 without further delay, preferably within three months from the date of receipt/production of a copy of this order.

7. The writ petition is disposed of with aforesaid direction.

(Rajesh Shankar, J.)

November 23, 2026
Ritesh/
Uploaded on 25.11.2026